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NOTES ON MUNICIPAL GOVERNMENT.

AMERICAN CITIES.

Greater New York.—*Power of Appointment of the Mayor.* With the incoming of the new administration in Greater New York, the mayor began the process of replacing existing heads of departments with his own appointees. This wholesale displacement does not seem to violate the standards of public opinion in American communities. On the contrary, it is regarded as a matter of course that the new mayor should place persons in harmony with his own political views in the places at his disposal. The fact that the efficient working of these departments requires permanency of tenure does not seem to enter as an important factor in the reasoning on municipal affairs. The enormous appointive power which the mayor wields is readily seen from an examination of the list given as follows:

<i>Title of Officer.</i>	<i>Term Years</i>	<i>Salary.</i>
Corporation Counsel	4	\$15,000
Chamberlain	4	12,000
President of the Board of Public Improvements	6	8,000
Commissioner of Water Supply	6	7,500
" Highways	6	7,500
" Street Cleaning	6	7,500
" Sewers	6	7,500
" Public Buildings, Lighting and Supplies	6	7,500
" Bridges	6	7,500
Three Commissioners of Parks	8	5,000
Six Art Commissioners	Indef.	No salary
Fire Commissioner	6	7,500
President of the Board of Taxes and Assessments	6	8,000
Four Commissioners of Taxes and Assessments	4	7,000
Five Assessors for Local Improvements	Indef.	3,000
Two Commissioners of Charities	6	7,500
One Commissioner of Charities	6	2,500
One Commissioner of Correction	6	7,500
President of the Board of Health	6	7,500
Two Health Commissioners	6	6,000
Two Commissioners of Buildings	6	7,000
One Commissioner of Buildings	6	3,500
President of Dock Yard	6	6,000
Two Commissioners of Docks	6	5,000
Four Police Commissioners	4	5,000
Commissioner of Jurors for Manhattan and the Bronx	Indef.	5,000
Two Commissioners of Accounts	Indef.	5,000
Chief of Bureau of Municipal Statistics	4	3,500
Three to Six Commissioners of Statistics	Indef.	No salary

<i>Title of Officer.</i>	<i>Term Years</i>	<i>Salary.</i>
Three Civil Service Commissioners	Indef.	No salary
Twenty-one Members of the School Board for Manhattan and the Bronx	3	No salary
Forty-five Members of School Board for Brooklyn	3	No salary
Nine Members of School Board for Richmond	3	No salary
Nine Members of School Board for Queens	3	No salary
Marshals	6	Not fixed
Inspectors and Sealers of Weights and Measures	Indef.	Not fixed
<i>Municipal Court.</i>		
Two Justices for Brooklyn	2	\$6,000
Three " " Queens	2	5,000
Two " " Richmond	2	5,000
<i>Board of City Magistrates.</i>		
Twelve Magistrates in Manhattan and the Bronx	10	\$6,000
Six Magistrates in Brooklyn	10	6,000
Three Magistrates in Queens	10	5,000
Two Magistrates in Richmond	10	5,000
<i>Courts of Special Sessions.</i>		
Five Justices, First Divisions	10	\$9,000
Five Justices, Second Division	10	6,000

*Issue of Municipal Bonds.** On July 19, the board of aldermen approved the issue of bonds to the amount of \$23,000,000, to cover the cost of many public improvements. The council and the board of estimate and apportionment had acted favorably upon this bond issue in May; but the approval of the board of aldermen was delayed by the opposition of the members from the Borough of Brooklyn, who contended that it was unfair to vote so large an amount for improvements almost entirely within the Boroughs of Manhattan and the Bronx. The principal expenditures to be met from the proceeds of these bonds are as follows :

East River Bridge	\$2,487,823
Aqueduct Commission	1,000,000
Little Italy Park	1,738,362
New School Houses	2,301,586
Re-paving streets and avenues	1,800,000
Metropolitan Museum extension	1,200,000
Harlem Bridge at First avenue	1,483,000
Harlem Bridge at 145th street	1,150,000
Elm street widening	2,696,548
Additional Croton water stock	1,650,000

City Debt. Because of the belief, still entertained in certain quarters, that the city has exceeded the limit of indebtedness fixed by the constitution, the comptroller of the city addressed a communication to the governor on the thirteenth of July, urging that the governor should lay before the extraordinary session of the legislature a bill to

*Communication of James W. Pryor, Esq.

provide that the indebtedness of counties included in the Greater New York should not be charged against the debt-incurring capacity of the city. As the governor did not act upon the suggestion, the matter did not come before the legislature.

Assessed Valuation for Purposes of Taxation. Under the requirements of the charter, the board of taxes and assessments submitted to the municipal assembly on the fifth of July, the "assessment rolls," showing the assessed valuation of real and personal property, for the Boroughs of Manhattan and the Bronx. This is the valuation upon which, after revision by the municipal assembly, the taxes for 1898 will be levied. The rolls show an increase of about twenty million dollars in the valuation of real estate, and an increase of about a hundred and twenty-six million dollars in the valuation of personal property, as compared with the valuation for last year. In the Boroughs of Brooklyn, Queens and Richmond taxes for 1898 were levied last year; and, consequently, these boroughs are not included in the tax levy this year.

Citizens' Union. The Central City Committee of the Citizens' Union has declared in favor of the nomination by the union of candidates for the judgeships and the state assembly. The election will not take place until November; and the subject of nominations does not excite much interest at this time. No municipal officers are to be elected.

Extra Session of the Legislature. The extra session of the legislature called by the governor to assemble on the eleventh of July, was of particular interest to this city, because of the passage of Governor Black's so-called "force bill." This bill, passed in conformity with the recommendation of the governor, has been unanimously condemned by newspapers and citizens whose opinions are not determined by partisan considerations. The new law provides that the governor shall appoint an officer who shall be known as the "State Superintendent of Elections for the Metropolitan Elections District," who, in turn, is to appoint seven hundred "deputy superintendents of elections of the metropolitan elections district," to serve for forty days ending with election day. Of the deputies, six hundred must be equally divided between the two principal political parties. In effect, these deputies are special police officers to prevent criminal violations of the election law. The territory covered embraces the city of New York and the parts of Westchester county and Queens county that are not included in the city. The theory upon which this law stands is that the election law will be enforced better by officers who serve temporarily, and who owe their places directly to the parties, than by the regular police force. It ignores the obvious

fact that the principal cause of dishonesty and error in elections is the complicated election law which has been imposed upon the state by the machines in their efforts to prevent independent action, and to compel the voter to be a good party man, whether he will or no. Under the judgment of the court of appeals, three of the candidates of the Citizens' Union, elected last November, have secured offices which were wrongfully held for months by Tammany candidates upon the strength of false returns which even dishonest election officers could not have made under a common-sense system. It is believed that the new law is a violation of those provisions of the state constitution which require that special city bills shall be submitted to the local authorities of the cities affected.

Massachusetts.—*Street Railways.* The annual report of the Massachusetts Board of Railroad Commissioners* contains interesting data on the development of the street railway system during the year 1897. At the present time the Massachusetts companies own 1206 miles of street railway line, 207 miles of second main track and 103 miles of side track, making a total length of 1516 miles of track. The gradual substitution of electricity for horse power is shown in the fact that while the lines operated by the former increased 107 miles during 1897, those operated by the latter decreased 24 miles. The dividend paying capital of all the companies was \$28,425,350, upon which an average rate of dividend of 6.91 per cent was paid. The amount of capital yielding no dividend was \$4,244,922.50. It is interesting to note that the percentage of gross earnings expended for operating expenses is steadily decreasing. Thus, in 1888, the operating expenses amounted to 81.07 per cent of the gross earnings; in 1897 to but 68.95 per cent. The volume of street railway traffic naturally varies with the density of population of the district. Thus, in 1897, the Boston companies carried 647,083 persons per mile of main track operated; whereas the Lowell and Suburban railway carried but 129,211 persons.

Boston.—*Park System.* The annual report† of the Board of Metropolitan Park Commissioners gives evidence of the approaching completion of the great park system in and about the city of Boston. The work was begun in 1893, and since that time about \$7,000,000 have been appropriated. The magnitude of the task is shown in the fact that at the present time the commission has under its charge nearly 7000 acres of park district. The greatest change accomplished during

* Twenty-ninth Annual Report of the Board of Railway Commissioners. Report for 1897. Mr. William A. Crafton, Secretary.

† Report of the Metropolitan Park Commissioners for 1897, John Woodbury, Secretary.

the last year was the completion of the Revere Beach improvement. The sea coast at that point, until 1897 a sandy waste, has been improved by means of driveways and promenades, the construction of a great bath-house with one thousand rooms, and the addition of buildings such as restaurants and children's playhouses. This spot is rapidly becoming a great popular resort for the people of Boston. On warm summer days it is estimated that between 75,000 and 100,000 people make use of the various facilities offered. The bath-houses and other institutions constructed by the commission are more than self-supporting. It is not the intention of the commission, however, to derive any profit from this source. Whenever profits are forthcoming, the prices will be reduced to make the institution self-supporting but nothing more.

Benefit from Municipal Federation. The experience of Chelsea with the new metropolitan water system, established by the several municipalities of Greater Boston, illustrates the advantage of co-operative action by municipalities in the establishment of great public works for mutual use. Chelsea has had only a distributing system, obtaining its water first from Charlestown, and then from Boston after the annexation of Charlestown to the latter. With the same conditions continuing the estimated annual cost for water would have been \$64,000. With the present system the average annual cost to Chelsea for its supply of water from the metropolitan system will be about \$19,400; a saving of about \$44,600 annually, besides the advantage of a better quality of water and a more abundant supply.

Chicago.—Street Railways.* When the amendment to the Horse and Dummy Railroad Act, commonly known as the Allen law, was passed in 1897, it was generally anticipated that the Chicago street railways would at once proceed to obtain fifty year extensions of their ordinances from the city council. The franchise period under which the present system has been built was twenty years.

There has been a grave hitch in the proceedings, however, owing to the uncompromising attitude of Mayor Harrison backed up by a sufficient number of aldermen to prevent the passage of an ordinance over the mayor's veto. Under these circumstances the year wore away and once more the council has adjourned for the summer vacation with nothing done for the street railway companies. Important ordinances granted in 1883 will expire in 1903, and the time is getting too short to be pleasant to the stock and bond holders. The situation has induced a somewhat more pliant frame of mind on the part of the

* Communication of Newton A. Partridge, Esq.

managers of the companies. Various investigations of their affairs and financial condition have been undertaken, the most important of which is the one now in progress by the Civic Federation. This latter is the outgrowth of action which resulted in the attendance of Mr. C. T. Yerkes, by invitation, at the meeting of the federation held June 9, 1898, who explained the attitude of the companies and their managers toward the city and the public. He then warmly professed the desire to have such an investigation made as would result in the publication in an authentic form of the true condition of the affairs of the street railway companies so that their relations to the city and the public with reference to compensation, etc., might be properly understood and placed upon the true basis, free from mistake or prejudice.

Following that meeting, a sub-committee was appointed to pursue the investigation, but it is yet too early to outline what success will be reached. The long-delayed report of the "Harlan" committee appointed by the mayor and city council last fall has just appeared, or rather, is just about to appear, some proof slips only having yet been given out. The political aspect of the street railway question is quite mixed. Many conventions of both parties have denounced the Allen law and demanded its repeal, and many legislative candidates have been instructed to vote for a repeal of the law; but quite a number of the old members who voted for it have been renominated by both Republican and Democratic constituencies. It looked at one time as though the question would be one of the prominent party issues in the next campaign, but this now seems doubtful.

Primary Election Laws. The primary election laws passed by the special session of the legislature of Illinois during the winter of 1898 have been tested at the primaries held by each of the leading parties before the city election in April and the fall election in November, 1898. This has given some opportunity to show their workings. A better test would have been made if the war had not so completely absorbed public attention. The control of the primaries has been placed, under certain restrictions, in the hands of the regular election officials, which prevents "brace" primaries. The regular party authorities are largely recognized in the call for holding primaries, fixing polling places and boundaries of primary districts and the selection of the particular judges of election who hold the primaries. The law contains many penal provisions under which quite a number of criminal prosecutions have been instituted with good effect.

As no person can sit as a delegate in a party convention unless he holds a certificate of election from the judges of the primary election,

who are also judges of the regular elections, "packed" conventions are no longer possible. The seating and unseating of delegates by the arbitrary act of a committee on credentials selected for that purpose has passed away, permanently we hope.

Civil Service Reform. The condition in Chicago as to civil service reform is somewhat anomalous. The present mayor was not elected as a friend of the law and many of his prominent supporters and appointees are bitterly and avowedly hostile to it. The corporation counsel, for instance, has fought the law both in and out of court. At the same time, he claims to be the legal adviser of the civil service commissioners by virtue of the position he holds as head of the law department. The value of investigations into infractions of the law can easily be foretold. As attorney for the accused, he attacks the law and the power of the commission. As legal adviser of the commissioners, he assures them that they have no right to act in the matter. At this time, they seem too much inclined to suffer themselves to be guided by his advice.

A criminal prosecution for an interesting and somewhat curious violation of the law is now in progress. During an examination for the position of patrol sergeant in the police force, two of the applicants transposed names. The only identification of the person examined consisted in filling out and signing application sheets serially numbered which, when filled out and signed, gave certain particulars concerning the applicant. Then the serial number was written by the applicant upon each page of his written examination. The application thus signed and numbered was enclosed by the applicant in a blank envelope. The examination papers, upon which no names appeared, were turned over to the examiners to be marked, and these marks were identified by the number on the sheets alone. After the marks had been returned to the commissioners, the envelopes were opened and the corresponding names were affixed to the marks. Both of these applicants have been indicted and held to bail, but their trials have not yet been reached. It is due to the commission to say that this prosecution is upon their initiative, and that they have appointed special counsel to attend to the cases. It is also due to them to say that two suits are now pending in the supreme court which were brought by them to extend the operation of the civil service law to the offices of city clerk and city collector. In both these cases the corporation counsel defends and seeks to have the law declared invalid.

Baltimore.—*New Charter.* In the May, 1898, number of the *ANNALS* Dr. J. H. Hollander, of Johns Hopkins University, presented a brief outline of the new charter of the city of Baltimore. The instrument

as framed by the commission has been accepted by the state legislature, and now constitutes the fundamental law of the city. There are several features of the charter that deserve more than passing notice. Every student of municipal government must agree that it contains many admirable features. Thus, the separation of local from state and national elections is in close harmony with the best experience of American municipalities. Again, the provision that franchises be granted for limited periods, not exceeding twenty-five years, subject to renewal for a similar period upon revaluation, is excellent. The commission has failed, however, to protect adequately the city in merely providing that franchises be sold at public sale. A provision should have been inserted that the return for such franchises be calculated on the basis of the gross receipts of the company enjoying the privilege.

By far the most disappointing features of the charter, however, are those which relate to the organization of the city government, the constitution of councils, of administrative boards and the powers of the mayor. As regards the legislative department the charter provides for two chambers, the first branch to consist of one member from each ward of the city; a resident of the ward assessed with property to the amount of \$300. Each member of this branch is to be paid a salary of \$1000 per annum. The second branch is to consist of nine members with the same salary, two to be elected from each of four electoral districts into which the city is to be divided; the president to be elected at large for a period of four years, which is also to be the term of the other members. The term of the members of the first branch is two years. In providing for a bicameral city legislature the commission has failed to profit by the experience of American as well as European cities. Neither principle nor practice justifies this system when applied to city government. With the restrictions contained in our state constitutions, as well as in the city charters, there is but little danger of that hasty action which it is the function of the bicameral system to guard against. The great danger of this form of local organization is in the dissipation of political responsibility which it inevitably brings with it. With the city legislature organized on this principle there is a constant shifting of blame and responsibility from one branch of the council to the other, until the population is completely at a loss to determine where the fault lies. The position of the municipality in its relation to the state, the functions which it has to perform and the relation of the inhabitants to their city government, all demand simplicity of organization and a ready determination of responsibility. The commission has further undermined this principle of responsibility by dividing the appointing

power between the mayor and the second branch of the city council. It is interesting to note the words of the report of the commission: "The charter submitted places the power of appointing the heads of all departments and their respective sub-departments in the chief executive of the city, the mayor, where it properly belongs. The commission has not taken the extreme position of making the mayor absolute in regard to this power of appointment. His appointments must be confirmed by the second branch of the city council." What the commission has, in reality, done has been to place in one clause the power of appointment where it properly belongs and to destroy that power in another. It would have been far better to have placed the power of appointment in the council alone or in the mayor alone than to attempt a combination of the two. Such a combination inevitably leads to dickerings between mayor and council which seriously affect the efficiency of the public service. The experience of Philadelphia has been conclusive on this point. The compromise between mayor and council places second-rate men in charge of municipal departments. It is to be regretted that a body of men of the standing and ability of the Baltimore commission should have been led into adopting a system which stands condemned on its own record.

Cincinnati.*—*Session of State Legislature.* The biennial session of the legislature, which ended on April 26 last, will be remembered as one of the least harmful to Cincinnati's interest. Mention has already been made of the "Ripper" bill reorganizing the principal administrative board of the city.† This act has recently been upheld by the Supreme Court, and although a motion for a rehearing is pending, the new board believing itself secure in office has proceeded with zeal to make a sweeping change of office holders.

Much legislation of a general character especially beneficial to the city was enacted. Among these salutary measures was the following: a New Primary Election Law providing that all nominations for city and county offices shall be made at primary elections held on the same day by all parties, under the supervision of the Board of Elections. In case the controlling committees of the different political parties notify the Board of Elections ninety days before the primary day of their intention to hold a convention, the delegates to the conventions will be chosen at primary elections held under the supervision of the Board of Elections. This will do away with the former practice of the different "machines" appointing delegates to the conventions. It is doubtful whether either party will ever avail itself of the privilege of making nominations directly

* Communication of M. B. May, Esq.

† See *Annals*, Vol. xi, p. 427. May, 1898.

at the primaries. Both Republican and Democratic parties have this year decided to hold conventions.

Another measure of general public interest is the park bill, which provides for a referendum on the proposition of voting \$2,000,000 for park purposes. If the plan is accepted, a park commission will be appointed to extend the present system.

The Cincinnati Southern Railroad is also the subject of a referendum. The trustees of the sinking fund and of the railroad are authorized to negotiate for the extension of the present lease, which shortly expires. Their contract before becoming operative must be ratified by the electors. At the same time a proposition to guarantee \$2,000,000 terminal facility bonds will be voted on.

While the legislature failed to pass a civil service law, it mitigated its offence by refusing to cripple the corrupt practice act. The civil service reformers may have an opportunity of accomplishing their object if they take advantage of the law providing for the appointment of a commission to bring about uniformity in municipal administration. This commission is to present to the next legislature, which convenes in 1900, a uniform system of municipal government.

San Francisco.—*New Charter.* The inhabitants of San Francisco have finally succeeded in adopting a charter under the new charter-framing clause of the constitution. The constitution of California gives to all cities with a population of three thousand or over the right to frame their own charters, a board of freeholders being elected for this purpose. The charter, thus framed, must be accepted by the people at a popular election. Three such charters have already been rejected. The only feature of exceptional interest is the wide extension of the referendum in municipal affairs.

Section 21, of Article 11, provides that, "Every ordinance involving the granting by the city or county of any franchise for the supply of light or water, or for the lease or sale of any public utility, or for the purchase of land of more than fifty thousand dollars in value, must be submitted to the vote of the electors of the city and county at the election next ensuing after the adoption of such ordinance. If a majority of the votes cast upon such ordinance shall be in favor of the adoption thereof, the board of election commissioners shall, within thirty days from the time of such election, proclaim such fact, and upon such proclamation such ordinance shall have the same force and effect as an ordinance passed by the supervisors and approved by the mayor."

The scheme of government as provided in the instrument, while profiting by the experience of many of our Eastern cities, is exceedingly complex and to the laymen most confusing.

FOREIGN CITIES.

Berlin and Paris.—*Financial Condition.* In the tenth volume of the "Bulletin of the International Institute of Statistics" Professor Lexis makes an interesting comparison between the financial condition of Berlin and Paris. He clearly points out the danger of comparing the figures as reported in the financial reports of the two cities. The systems of accounting are so different that it requires most careful discrimination to avoid misleading conclusions. Taking, for instance, the year 1892-93, we find the total income of the city of Berlin \$21,000,000 in round numbers, the total expenditure \$19,500,000. In Paris, on the other hand, the total income is over \$70,000,000, the total outlay about \$66,000,000. A little closer examination, however, will show that these figures require considerable modification in order to be made comparable. In the first place, the system of accounting in Berlin groups quasi-public works under a special account, known as the "City Works Account." The items of income and expenditure under this head do not enter into the general budget; in fact affect it only in so far as there is a deficit or a surplus from any of these sources. Thus any large sums expended for the maintenance of the city gas works and the still greater income derived from this source, do not figure in the general budget. This fact, alone, would tend to diminish the total income and expenditure as reported in the general budget of the city. In Paris, on the other hand, many of the public works, which in Berlin are managed by the municipality, are under the control of private corporations, who make a direct return to the city for the privileges granted. Under this system, however, the inhabitants of Paris pay more for certain public services than those of Berlin. If, therefore, we find corporations enjoying public franchises making greater returns to the city treasury of Paris than the profits of similar works under municipal control in Berlin, it is to be remembered that this is done at the expense of the inhabitants. Such factors must be taken into account in judging of the financial status of a municipality.

Eliminating, for the time being, considerations of this character, and bringing the income and expenditure accounts of the two cities to a common basis, we find the total expenditures of Berlin about \$22,500,000, the total expenditures of Paris \$64,500,000, representing a per capita expenditure of \$13.63 for Berlin, \$26.32 for Paris.* From these figures it will be seen that the per capita expenditure of Paris is more than double that of Berlin. One of the reasons for this surprising difference in the expenditure accounts of the two cities is that in matters of general city improvement Paris expends far more liberally

*Population of Berlin 1,650,000; population of Paris 2,450,000.

than Berlin. The main cause, however, is to be found in the expenditure of the two cities for police purposes, and that necessitated for the payment of interest and the liquidation of the funded debt. The debt of Paris amounts to about \$390,000,000, while that of Berlin is but \$59,000,000. In order to meet the fixed charges of this indebtedness the budget of Paris was compelled to provide \$21,500,000 in 1892, whereas the expenditure for the same purpose in Berlin was but \$3,500,000.

For police purposes Paris also expends a far larger sum than Berlin, due partly to the fact that the Prussian state makes a far greater contribution to the expense of maintaining the police system than is the case in France. Thus in 1892 Paris expended some \$4,500,000 in maintaining a police system, whereas but \$650,000 was charged to the same item in the Berlin budget.

Examining for a moment the income account of the two cities, one is immediately impressed with the fact that in Paris the income from taxation represents a far larger percentage of the total income than is the case in Berlin. Thus in 1892 the total income from taxation in Paris was \$37,000,000, about two-thirds of the total ordinary income, whereas in Berlin the receipts from the same source were but \$9,000,000, which was less than half of the total ordinary income. This is due largely to the fact that in Berlin various public works furnish a greater surplus than is the case in Paris. It is interesting to note, furthermore, that the income from taxation in Paris is derived largely from the *octroi*, or indirect tax upon the necessities of life, whereas in Berlin taxation is almost exclusively direct, that is upon property or income. The per capita indirect tax in Berlin amounts to but 7½ cents, in Paris it is \$12.50. The elasticity of indirect taxation of this character has made it possible for Paris to constantly increase the *octroi* without arousing violent opposition on the part of the population. In Berlin, however, where each increase of taxation immediately affects the great mass of property owners, it is impossible to make taxation as fruitful a source of revenue as the best financiers would desire. On the other hand, it is not to be denied that the system of indirect taxation which obtains in Paris is a serious burden to the working classes, as it greatly increases the cost of living and has seriously affected the standard of life of the population. These are all elements, however, which it is difficult to weigh against one another. It requires a broad view of the whole situation in order to pass any opinion upon the relative financial condition of the two cities.